

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 9, 2015
Date

Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB15-1222 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 8, lines 17 and 18, strike "RESOLVED TO THE
- 2 SATISFACTION OF THE PARTY WHO FILED THE CLAIM," and substitute
- 3 "FULLY RESOLVED BY THE BOARD AND THE STATE ENGINEER AND AFTER
- 4 THE CONCLUSION OF ANY WATER COURT APPEALS,".

- 5 Page 9, lines 3 and 4, strike "FEE AND, FOR APPROVED PILOT PROJECTS, AN
- 6 ANNUAL REVIEW".

- 7 Page 9, line 7, strike "SEVENTY-FIVE" and substitute "SIXTY".

- 8 Page 9, line 13, after "OTHER" insert "VESTED".

- 9 Page 9, line 25, strike the first "RIGHTS" and substitute "RIGHTS, DECREED
- 10 CONDITIONAL WATER RIGHTS,".

- 11 Page 11, line 18, strike "INCLUDING" and substitute "THROUGH".

- 12 Page 13, strike lines 9 through 11 and substitute: "BOARD CONCERNING
- 13 POTENTIAL INJURY TO SUCH PARTY'S WATER RIGHTS, DECREED
- 14 CONDITIONAL WATER RIGHTS, OR CONTRACT RIGHTS TO WATER DUE TO
- 15 THE".

- 16 Page 13, strike line 19 and substitute "WHILE UNDER CONTRACT WITH THE
- 17 BOARD FOR POTENTIAL INSTREAM FLOW USE.".

- 1 Page 14, line 6, strike "RIGHTS OR" and substitute "RIGHTS,".
- 2 Page 14, line 7, strike "RIGHTS" and substitute "RIGHTS, OR CONTRACT
3 RIGHTS TO WATER".
- 4 Page 14, strike lines 13 through 19 and substitute:
- 5 "(X) IF SO REQUESTED BY THE WATER RIGHT OWNER, THE
6 CONTRACT MUST INCLUDE CONDITIONS PURSUANT TO WHICH THE WATER
7 RIGHT OWNER WHO IMPLEMENTS THE STRUCTURAL IMPROVEMENTS
8 REFERRED TO IN SECTION 37-92-103 (11.5) (a) MAY DIVERT THE ORIGINAL
9 DECREED DIVERSION RATE IF:
- 10 (A) THE BOARD DISCONTINUES ITS USE OF THE INSTREAM FLOW
11 RIGHT; AND
- 12 (B) NO ENLARGEMENT OF THE WATER RIGHT RESULTS.".
- 13 Page 15, line 5, after "BOARD" insert "AND STATE ENGINEER".
- 14 Page 15, strike lines 13 and 14 and substitute:
- 15 "(B) LESSONS LEARNED FROM IMPLEMENTATION OF THE PILOT
16 PROJECTS; AND".

** ** ** ** **